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Attorney Docket No. 09792909-5789

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toru Mizutani et al.

Application No. 10/727,674

Filed: December 4, 2003

For: GEL ELECTROLYTE BATTERY

Examiner: GOFF II, John L.

Group Art Unit: 1791

Confirmation No.: 8467

Customer No.: 26263

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE TO AUGUST 4, 2008 FINAL OFFICE ACTION

Dear Sir:

An Amendment in response to the Final Office Action mailed August 4, 2008 was filed on January 5, 2009.

In the Amendment, Applicants noted that *Hatta* is not a proper 35 U.S.C. §103(a) reference, because the present application, which claims foreign priority to Japanese application 2000-081860 filed March 17, 2000, predates *Hatta's* PCT publication date of May 11, 2000. In the amendment of January 5, 2009, Applicants' submitted a translation of Japanese application 2000-081860.

Applicants submit herewith the certified translation of Japanese Application Nos. 2000-081860.

Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

Dated: January 8, 2009

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